



**Islamic Republic Of Afghanistan  
Kabul Municipality**



# **ANTI-CORRUPTION POLICY STANDARD OPERATING PROCEDURE**

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Anti-corruption policy provides background information to the policy and will help the department of Administration set the tone for the overall document.

***Purpose of the policy:*** By implementing anti-corruption policy, KM is intending to create a culture of fairness, consistency, and an enhanced work environment for all staff.

The prevention and as an essential the investigation of corruption against it is therefore seen as an important aspect KM anti-corruption Police's overall accountabilities and one which it is committed to properly fulfill.

Set a clear direction for the development and maintenance of anti-corruption procedures employed across KM.

**Roles and Governance:** - KM recognizes the public leadership role and the responsibility it holds to appropriately manage and protect the public resources it handles. The Administration and Finance, as the essential elements of KM, jointly discharge these responsibilities through the request of a suite of anti-corruption policies and procedures. The Anti-Corruption Policy, along with this documented Anti-Corruption Procedure, is critical element of an overall KM Governance framework.

### ***Scope of policy:***

The anti-corruption policy applies to the all KM officials including KM Mayor, senior management employees and operations conducted by any subsidiaries, affiliates, vendors, contractors, agents or other representatives of KM. This Policy also applies to KM international consultants, vendors, and other third parties (collectively "Third Party Representatives").

This Policy applies to Kabul Municipality (KM) Personnel and its subsidiaries and affiliates. Responsibility for compliance with this Policy and the related internal controls, ethics and compliance programs or measures is the duty of individuals at every level of Kabul Municipality. KM will endeavor in good faith to use its influence to the extent reasonable under the circumstances to require entities not controlled by KM but which operate on behalf of KM and/or under the KM brand (e.g. Sub-contractors) to adopt and implement policies and internal controls of their own that minimize the risk of violation of the anti-corruption laws relating to KM's mandate and activities.

***Objectives of the Policy:*** To ensure adherence to ethical standards and integrity in the functioning of KM by engaging all stakeholders by:

- i. Raising public awareness to promote zero tolerance towards corruption;
- ii. Undertaking effective protective measures to minimize the possibility and scope for corruption;



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- iii. Creating sustainable prevention against corruption by strict and prompt enforcement of anti-corruption rules and regulations;
- iv. Enhancing cooperation amongst all stakeholders (specially citizen) in ensuring that corruption cases are discovered, reported, and prosecuted properly;
- v. Minimizing opportunities of investment and utilization of wealth earned through corrupt means.

**Definitions:** It is important to include a list of definitions to ensure clarity. The terms used in this Anti-Corruption Policy bear the following meanings:

1. **Payment:** A payment of money or anything of value, including transfer of stock, or any other property, payment of expenses, providing services of any type, assumption of a debt or release from the obligation to pay a debt, or any other transfer of goods, services, tangibles or intangibles, made to influence the passage of law, regulations, the placement of government contracts, the formulation of policy or other discretionary government functions, that accrues to the benefit of the ultimate recipient or promotes his or her interest. This includes payments made to influence the recipient to misuse his or her official position to wrongfully divert business to the payer or its client.
2. **Indirect Payment:** A payment made to anyone, including a Third Party Representative, independent contractor, distributor, sales representative, attorney, lobbyist, or other third party with the knowledge that the payment, or a portion of the payment, will be passed on to a government official.
3. **Fraud:** the deliberate distortion of financial statements or other records (e.g. an invoice of goods or services) by internal or external persons to KM which is carried out to conceal the misuse of assets or otherwise for gain.
4. **Public sector corruption:** “degree misuse of public power for private benefit”, and the “likeliness to demand illegal payments in high and low level of government”
5. **Corruption:** - the offering, giving or acceptance of an incentive or reward which may effect the action of any person in their dealings with KM.
6. **Failure to Disclose:** failure to properly disclose an interest or event in order to gain financial or fiscal benefit.
7. **Codes of Conduct and Ethics:** The code of conduct is a statement of the values and ethical standards to which the KM requires its employees and board to adhere. Ethical conduct in managing KM’s purchasing activities is absolutely essential. KM’s staff members must always be mindful that they represent and share a professional trust with KM’s sponsors and other KM staff.  
All KM staff involved in operation shall conduct business with potential and current suppliers in an atmosphere of good faith. Staff members shall discourage the offer of, and decline, individual gifts or gratuities of value that might influence or give the appearance of influencing the purchase of supplies, equipment, and/or services.



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8. **Managing risk:** All organizations face internal and external risks which can threaten operations and even survival (e.g. funds being withdrawn, an office fire or a fraud). Risks must be identified and actively managed in an organized way to limit the damage they can cause.
9. **Disciplinary Procedures/Actions:** are in place to cover any actions essential where employees do not comply with the commitments and/or obligations placed on them. These are to be monitored and provide a fair and consistent and steady approach to such issues.
10. **Internal Audit:** An internal audit review is undertaken at the request of the KM Mayor and KM DGs. It focuses on reviewing compliance with systems and procedures as set by the Board and manager. The internal auditor's report will highlight findings and make recommendations for action, where needed. It may be carried out by someone within the KM, or an outsider may be engaged to carry out an 'internal audit'.
11. **Office Accounts -** KM shall maintain complete and accurate financial records, ensuring that all transactions are properly, accurately and fairly recorded in its books and records. The book entries must be clear and accurate. Obscuring or euphemistic language must be avoided.
12. **Third parties:** Any Third party that will be engaged to deal directly with KM on behalf of the enterprise where that official has discretionary authority over some matter impacting or involving the enterprise, and, in particular.

**Publication of Codes of Conduct and Ethics to the stakeholders:** At the inception of any dealing, all new stakeholders should be made aware in writing of the KM's Code of Conduct and specifically to the KM's anticorruption policy. A "stakeholders" includes project owners, suppliers, subcontractors, consultants, advisers, agents and other intermediaries.

**Adoption of anti-corruption policy by stakeholder:** KM shall ensure as far as is reasonable that its stakeholder have implemented an anti-corruption policy that is at least as severe as its own for the duration of the relevant operational dealing.

**Anti-corruption contract terms and condition:** All contracts between the KM and its stakeholders shall contain anti-corruption terms which provide rapid contractual obligations and penalties in relation to corruption.

**Detection procedures:** KM shall ensure that risk-management and financial control procedures or other processes which supervise and inspect KM projects, contracts and systems on an



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appropriate sample basis, each inspection and/ or supervision for any indication of corruption. Inspection and/ or Supervision should cover financial, operational and technical aspects.

***Reporting procedures:*** KM has in place internal procedures for reporting corruption in its “express an opinion freely” confidential reporting system which enables KM employees to report corruption in a safe and confidential manner to a responsible senior officials of KM. Each of KM operation shall ensure that the “express an opinion freely” reporting system is known to all KM staff. KM officials are obliged to report corruption as soon as they become aware of it to the senior management and KM Mayor of the KM.

***Investigating and dealing with corruption:*** All investigations will be conducted in accordance with the KM’s control incidents procedures.(?)

### ***Policy:***

This Anti-Corruption Policy governs the Anti-Corruption procedures of KM and its District level offices. It is intended for use by all KM staff members.

The policy should be used as a guide for managing all matters related to Corruption of Kabul Municipality. All Employees are required to read and understand the policies in this manual and how they relate to their areas of responsibility.